UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/47/540
23 October 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 96 (c)

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS: HUMANITARIAN QUESTIONS

Humanitarian assistance to victims of natural disasters and similar emergency situations

Report of the Secretary-General

I. INTRODUCTION

1. In its resolution 45/100 of 14 December 1990, the General Assembly reaffirmed the importance of humanitarian assistance for the victims of natural disasters and similar emergency situations and the primary role of sovereign States in the initiation, organization, coordination and implementation of humanitarian assistance within their respective territories.

2. The General Assembly stressed the important contribution made in providing assistance by intergovernmental and non-governmental organizations working impartially and with strictly humanitarian motives and invited all States whose populations were in need of such assistance to facilitate the work of those organizations in implementing humanitarian assistance, in particular the supply of food, medicines and health care, for which access to victims was essential. The Assembly appealed, therefore, to all States to give their support to those organizations working to provide the necessary humanitarian assistance.

3. In paragraph 8 of resolution 45/100, the General Assembly requested the Secretary-General to pursue the necessary consultations with Governments and intergovernmental, governmental and non-governmental organizations with a view to determining means of facilitating the delivery of appropriate humanitarian assistance to the victims of natural disasters or similar emergency situations, including the establishment of relief corridors and to report thereon to the Assembly at its forty-seventh session.

4. In paragraph 9 of the resolution, the General Assembly invited the Secretary-General to study the possibility of preparing, on the basis of information furnished by Governments and the relevant governmental and non-governmental international organizations and taking into account the work already done in that area by the United Nations, an indicative list of persons and bodies with expert knowledge of the delivery and management of emergency humanitarian assistance whom the United Nations could call upon, with the consent of the States concerned, to make an accurate and speedy assessment of the needs and a realistic determination of the best means of delivering the aid.

5. The consultative process for the preparation of the present report has been based on informal meetings and questionnaires sent to Member States, United Nations agencies and non-governmental organizations.

6. The information provided should also be seen in relation to resolution 46/182 of 19 December 1991 for which a separate progress report will be submitted to the General Assembly.

II. FACILITATION OF HUMANITARIAN ASSISTANCE OPERATIONS

A. Access to victims of emergencies

7. The debates leading to the adoption of resolution 45/100 are an important indication of the deep and genuine concern of the international community about the right of a human being in need to receive humanitarian assistance and about the difficulties in the way of its delivery. The multitude of acts of civil violence and in particular the ever increasing radicalization of positions of the warring factions in ethnic and civil conflicts are seen by many as particularly alarming characteristics of the situation, because they threaten even the underlying principles of humanitarian law, which had previously allowed such institutions as the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC), United Nations organizations and non-governmental organizations to access at least part of the affected populations.

8. General Assembly resolution 45/100 represents a major step forward in the international debate on the issue of access. Abandonment of victims of natural disasters and emergencies is a threat to human life and an offence to human dignity. Access to victims is essential.

9. Although recognized as essential, the issue of access to victims of emergencies has to be seen in relation to the principle of sovereignty. It has been noted that the discussions in different forums on the improvement of the delivery of humanitarian assistance invariably reached the point where they came into opposition with that principle. At the summer session of 1991 of the Economic and Social Council, for example, several delegates referred to the problem in the context of the reorganization of the United Nations efforts in disaster relief, stressing the territorial sovereignty of their countries,

and insisting on the need to obtain the consent of Governments prior to the delivery of humanitarian assistance. Different viewpoints on this crucial issue persist among Governments, international and non-governmental organizations.

B. Relief corridors

10. There is overall agreement about the usefulness of relief corridors as a means to reach people trapped by armed conflicts and civil disturbances. Agreed upon by all parties of the conflict, these "corridors" are temporary in their existence and geographically defined. They were set up and successfully used by relief personnel from international and non-governmental organizations, for example, in the Sudan, Ethiopia, El Salvador, Somalia and Yugoslavia.

11. Relief corridors are seen by the international community as an important instrument to back up the right of civilians to receive assistance during armed conflicts, which is recognized in the Geneva Conventions of 1949 and their Additional Protocols of 1977. There is consensus among intergovernmental and non-governmental organizations, as well as within the Red Cross movement that those most widely ratified international instruments fully cover the need for legal principles governing humanitarian actions and interventions. What is needed, however, is greater respect for the implementation of those instruments. Unfortunately, however, the growing pattern of civil strife in recent years, which often involves parties that do not recognize or refuse to abide by the instruments, has made their implementation increasingly difficult.

12. Recent attacks on relief convoys and personnel resulting in the tragic loss of life have caused deep concern among national and international relief agencies. In their opinion the limit of tolerable exposure of their personnel to the perils of armed conflicts may soon be reached. It is strongly believed that the respect of ratified international instruments of humanitarian law has to be enforced more effectively, not only for the safety of the personnel, but, in the first place, for the victims of conflicts. It is also observed that quite often a Government's control over its territory is limited, with large tracts of country in the hands of armed groups having taken to banditry. Even in such circumstances, a Government cannot be completely absolved from its responsibility vis-à-vis its population and towards international and national personnel working out of humanitarian motives to assist all sections of the population in acute need. It should do all in its power to facilitate the work of all concerned.

13. The use of relief corridors by the personnel of intergovernmental and non-governmental organizations engaged in humanitarian assistance is done in a strictly neutral and impartial way. There is, however, not only a wide gamut of humanitarian organizations, but also a considerable diversity in operational styles, principles and scopes of activities. As a possibility to streamline this diversity for the ultimate benefit of the victims of

emergencies, the concept of a code of conduct for organizations active in humanitarian assistance in armed conflict is currently being discussed. In that respect a considerable amount of conceptual groundwork has been done by several organizations. Their efforts are under discussion among relief practitioners.

14. Although the value of relief corridors as a "breakthrough" mechanism to access victims of emergencies is beyond debate, their limitation in time and geographic scope may be considered by some as a drawback. It is true that corridors allow to reach only a rather small portion of the needy population because of their territorial confinement, whereas the movements of warring factions in conflicts tend to disperse the civilian population, but there is no question that corridors are an indispensable tool in the successful delivery of humanitarian assistance to conflict zones. It is recommended to widen the concept of relief corridors whenever possible, by seeking political solutions, including conflict-solving measures, as indicated in resolution 45/100.

C. List of persons and bodies with expert knowledge in emergency humanitarian assistance

15. In paragraph 9 of resolution 45/100, the Generaly Assembly invited the Secretary-General to study the possibility of preparing an indicative list of persons and bodies with expertise in emergency management whom the United Nations could call upon to carry out rapid needs assessment and to determine the best means of delivering aid. In its resolution 46/182 the Assembly goes beyond this recommendation by requesting, in paragraph 27 of the annex, that the United Nations should establish a central register of all specialized personnel and teams of technical specialists, as well as relief supplies, equipment and services available within the United Nations system and from Governments, intergovernmental and non-governmental organizations. The consultations carried out in the context of resolution 45/100 considered the problem within that larger context and resulted in some indications as to the nature and scope of that part of the register which concerns human resources. The discussions also referred to a number of initiatives the Department of Humanitarian Affairs-Geneva had already taken in that area, in particular the compilation of a Directory of International Search and Rescue Teams and the project of a register of stockpiles of disaster relief items available for international assistance.

16. Most of the operational United Nations agencies as well as intergovernmental and non-governmental organizations and government services engaged in international relief activities have their own rosters of emergency specialists. Experience shows that these rosters require considerable financial resources and manpower to ensure regular updating, training of the experts included and quality control. During the consultations the possibility of effectively managing and updating a sizeable central roster was discussed, and general concern was expressed about (a) whether it was designed to include all relevant information on individuals and bodies as provided from

multiple sources, including United Nations agencies, non-governmental organizations and Governments; and (b) whether it intended to cover the wide range of expertise that might be needed in various types of emergencies.

17. Questions were also raised regarding the usefulness of such a central list in view of the possible duplication with rosters that already exist and that are maintained by each operational agency in its field of competence. It was therefore suggested that the creation of a detailed central list might be extremely difficult, time-consuming and costly. The overall advantages stemming from its establishment would have to be mapped out and weighed carefully before the relevant provision of resolution 46/182 could be implemented.

18. Some of the parties consulted were, however, of the opinion that it might be more useful for the United Nations to develop a decentralized network of rosters on disaster management expertise. The focal point of such a network of rosters existing within the United Nations family, intergovernmental and non-governmental organizations and Governments would provide pertinent information on a number of key items, for example 24-hour contact points, fields of expertise covered, modalities of cooperation with the United Nations or with disaster-affected countries, and means to access, through a shared computerized system, more specific knowledge sought and required for the occasion. In case of an emergency calling for special expertise from the international community, it could thus be identified and mobilized quickly. The responsibility for updating and maintaining data on individuals and bodies included in each roster would, however, remain with the individual agencies or organizations in charge. Consideration was given to the feasibility of having critical components of the network being made available to the interested disaster management community world wide through the United Nations International Emergency Network (UNIENET), an electronic network with disaster-related information managed by the Department of Humanitarian Affairs-Geneva.

19. In order to strengthen the capacity for immediate assessment at the onset of an emergency, the Department of Humanitarian Affairs is studying the possibility of creating United Nations Disaster Assessment and Coordination (UNDAC) Stand-by Teams. This idea, for which a number of Governments have indicated interest and support, is closely linked to the concerns expressed in paragraph 9 of resolution 45/100 and the recommendations made in resolution 46/182. The establishment of UNDAC teams, under the authority of the Emergency Relief Coordinator, would aim at facilitating the international response to an emergency by providing support to Governments of disaster-affected countries in the immediate on-the-spot assessment of damage and humanitarian needs and the subsequent collation and distribution of relevant data as well as in the initiation of on-site coordination of international relief operations.

20. The UNDAC concept, as it is currently discussed, would imply that the Deparment of Humanitarian Affairs-Geneva, in close cooperation with national emergency relief services, would identify skilled and experienced persons, together with its regular staff, for the establishment of a stand-by cadre that would form a core group of UNDAC mission leaders. United Nations agencies concerned, together with IFRC and other non-governmental organizations, would be invited to participate in UNDAC missions, as well as in the preparation and training for such missions. In consultation with the national authorities, the UNDAC team would advise the United Nations Emergency Relief Coordinator and the United Nations Development Programme (UNDP)/Department of Humanitarian Affairs resident representative on needs for international assistance and on possible channels for its delivery.

21. The above considerations suggest that a decentralized network of rosters on disaster management expertise as well as the further development of the UNDAC concept could form essential elements in the implementation of proposals contained in resolution 45/100 and of the overall strategy outlined in resolution 46/182 for an improved stand-by and coordination capacity of the United Nations system in humanitarian emergency assistance.